

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TELINIT TECHNOLOGIES, LLC	§	
	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. 2:13-cv-743-JRG
	§	(LEAD CASE)
SPOTIFY USA, INC,	§	
	§	
Defendant/Third-Party Plaintiff	§	
	§	
v.	§	CIVIL ACTION NO. 2:13-cv-803-JRG
	§	(MEMBER CASE)
	§	
GARY ODOM d/b/a PATENT HAWK LLC,	§	
	§	
Third-Party Defendant.	§	

ORDER

Before the Court is Third-Party Defendant Gary Odom d/b/a Patent Hawk's Motions to Dismiss for lack of personal jurisdiction, subject matter jurisdiction and failure to state a claim under 12(b)(6), and Mr. Odom's request for sanctions. (Civil Case No. 2:13-cv-803, Dkt. Nos. 21, 25.) The Court held a hearing on Mr. Odom's motions on June 27, 2014. The Court then announced its rulings and reasoning into the record; such rulings are memorialized herein. Any clarification and/or modification to such motions, as stated by the Court during such hearing, fully applies to the rulings as stated below, and such rulings do not exclude any clarification and/or modification as stated in the record. The Court ORDERS as follows:

Mr. Odom's Motion to Dismiss for lack of personal jurisdiction is **WITHDRAWN**. (*See*


Civil Case No. 2:13-cv-743, Dkt. No. 49.)

Mr. Odom's Motion to Dismiss for lack of subject matter jurisdiction is **DENIED**. The Court also **DENIES** Mr. Odom's request that this Court decline to exercise supplemental jurisdiction over Spotify USA, Inc's ("Spotify") third-party complaint against Mr. Odom.

Mr. Odom's Motion to Dismiss for failure to state a claim under Rule 12(b)(6) is **DENIED**.

Mr. Odom's requests for sanctions under Rule 11 and 28 U.S.C. § 1927 are both **DENIED**.

So ORDERED and SIGNED this 30th day of June, 2014.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE